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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/940,596
Filing Date: August 29, 2001
Appellant(s): SIMPSON, SHELL S.

Jack McKinney (reg. No. 45,685)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed July 26, 2006 appealing from the Office action mailed Nov. 30, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Tuchitoi et al., U.S. Patent No. 6,906,813

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Tuchitoi et al., U.S. patent No. 6,906,813 (referred to hereafter as Tuchitoi).

Tuchitoi teaches a system and method for processing print jobs on the network and notifying the user with the request status (see abstract).

As to claim 1, Tuchitoi teaches a method for launching a browser or other service, comprising the steps of:

determining if a predetermined event has occurred related to activity of a web or network service (see col. 1 lines 60-67, col. 13 lines 5-27 and col. 24 lines 1-25, status of a print request is monitored on a network); and

sending a command to a system to launch the browser or service to a particular network location if the predetermined event is determined to have occurred (see col. 13 lines 1-34 and fig. 16, col. 24 lines 1-25, printing apparatus launches notification messages to the host computer if the print job status has changed such as print complete or interrupted).

As to claim 2, Tuchitoi teaches the method as defined in claim 1, wherein the browser and/or service is launched after receipt of the command to launch (see col. 13 lines 1-34).

As to claim 3, Tuchitoi teaches the method as defined in claim 1, wherein the determining step comprises receiving information including a request to launch or other information relating to the predetermined event (see col. 13 lines 1-34).

As to claim 4, Tuchitoi teaches the method as defined in claim 3, wherein the receiving information step comprises the step of authenticating the received information and only sending the command to launch the browser and/or service if the request is properly authenticated (see col. 13 lines 1-34).

As to claim 5, Tuchitoi teaches the method as defined in claim 3, wherein the receiving information step comprises the step of listening on a network for requests to launch the browser and/or service or other information relating to the predetermined event (see col. 13 lines 1-34).

As to claim 6, Tuchitoi teaches the method as defined in claim 1, wherein the determining step comprises the step of polling the web or network service a web site to determine if the predetermined event has occurred (see col. 13 lines 1-34).

As to claim 7, Tuchitoi teaches the method as defined in claim 1, wherein the predetermined event is an indication that a print job at the network service is completed (see col. 13 lines 1-34).

As to claim 8, Tuchitoi teaches the method as defined in claim 1, wherein the predetermined event is an indication that a print job has been interrupted (see col. 13 lines 1-34).

As to claim 9, Tuchitoi teaches the method as defined in claim 1, wherein the predetermined event is an indication that a job at a web service has been interrupted (see col. 13 lines 1-34).

As to claim 10, Tuchitoi teaches a computer product for launching a browser or other service, comprising the steps of:

determining if a predetermined event has occurred related to activity of a web or network service (see col. 1 lines 60-67, col. 13 lines 5-27 and col. 24 lines 1-25, status of a print request is monitored on a network); and

sending a command to a system to launch the browser or service to a particular network location if the predetermined event is determined to have occurred (see col. 13 lines 1-34 and fig. 16, col. 24 lines 1-25, printing apparatus launches notification messages to the host computer if the print job status has changed such as print complete or interrupted).

As to claim 11, Tuchitoi teaches the computer program as defined in claim 10, wherein the determining step comprises receiving information including a request to launch or other information relating to the predetermined event (see col. 13 lines 1-34).

As to claim 12, Tuchitoi teaches the computer program as defined in claim 10, wherein the receiving information step comprises the step of listening on a network for requests to launch the browser and/or service or other information relating to the predetermined event (see col. 13 lines 1-34).

As to claim 13, Tuchitoi teaches the method and computer program as defined in claim 10, wherein the determining step comprises the step of polling the web or network service a web site to determine if the predetermined event has occurred (see col. 13 lines 1-34).

As to claim 14, Tuchitoi teaches a system respectively for launching a browser or other service, comprising:

a component for determining if a predetermined event has occurred related to activity of a web or network service (see col. 1 lines 60-67, col. 13 lines 5-27 and col. 24 lines 1-25, status of a print request is monitored on a network); and

a component for sending a command to a system to launch the browser or service to a particular network location if the predetermined event is determined to have occurred (see col. 13 lines 1-34 and fig. 16, col. 24 lines 1-25, printing apparatus launches notification messages to the host computer if the print job status has changed such as print complete or interrupted).

(10) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses replies individually.

As per appellants arguments filed on July 26, 2006, the appellant argues that Tuchitoi does not teach or suggest “sending a command to a system to launch the browser or service to a particular network location if the predetermined event is determined to have occurred” (see Brief page 3 lines 20-page 6 lines 15).

In reply, Tuchitoi teaches a system and method for performing requests for acquisition of the status of a print job. Tuchitoi also teaches sending users notifications of the requested print jobs such as “print complete” and “print interrupt” (see abstract and col. 1 lines 60-67).

Tuchitoi teaches a system comprising a host computer 200 (see fig. 2) and a printing apparatus 300 (see fig. 3). The printing apparatus monitors the status of print jobs sent from the host computer 200 to the printing apparatus to determine whether the print job is complete or interrupted “predetermined event” (see col. 13 lines 5-17 and col. 24 lines 1-12).

The printing apparatus records the address of the host computer that sent the print job by checking the address in the job packet that was sent by the packet generator 207 of the host computer 200 (see col. 13 lines 13-15)

The printing apparatus determines that the print job is complete “determine if a predetermined even related to a network service has occurred” (see col. 13 lines 8-12), if the print job is complete, then the printing apparatus 300 instructs the information manager 310 to send a completion notice event packet to the host computer “particular network location” using the address of the host computer that sent the job packet using the packet generator (see col. 13 lines 5-6 and lines 15-17 and lines 25-28). The completion notice event packet is later used to generate a pop-up message to notify the user of the host computer that the print job is complete.

The completion notice event packet “service” *sent to the host computer* “particular network location” that is sent in response to a determination that the print job is complete “predetermined event is determined to have occurred” meets the scope of the claimed language.

Tuchitoi also teaches the interrupt processor 312 of the printing apparatus 300 also determines whether an interrupt to a print job has occurred “determining if a

predetermined event has occurred" (see col. 24 lines 4-6). If the interrupt processor determines that an interrupt has occurred, the printing apparatus *sends notification messages* "launches a service" *to the host computer* whose print job has been interrupted "particular network location" if the print jobs were interrupted "predetermined event has occurred" (see col. 24 lines 1-24 and col. 23 lines 10-15).

The interrupt notice packet "service" *sent to the host computer* "particular network location" that is sent in response to a determination that the print job is interrupted "predetermined event is determined to have occurred" meets the scope of the claimed language.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

ABDULLAH SALAD
PRIMARY EXAMINER

Conferees:


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER

Hussein El-chanti

HE

Oct. 12, 2006